

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**May 27, 2020**

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

DOUBLE COIN TYRE GROUP,  
INC., a Chinese corporation, and  
CHINA MANUFACTURERS  
ALLIANCE, LLC, a California  
limited liability company,

Plaintiff,

v.

SANTOS V. GARZA, an individual,  
and DOES 1-10,

Defendants.

NO: 2:20-CV-128-RMP

TEMPORARY RESTRAINING  
ORDER AND ORDER SETTING  
PRELIMINARY INJUNCTION  
HEARING

BEFORE THE COURT is the Motion for Temporary Restraining Order and Motion for Preliminary Injunction, ECF No. 11, by Plaintiffs Double Coin Tyre Group Ltd. (“DCTG”) and China Manufacturers Alliance LLC (“CMA”). Also before the Court is the Stipulation, ECF No. 17, of Defendant Santos Garza and Plaintiffs to entry of the Temporary Restraining Order pending a hearing on the Motion for Preliminary Injunction, ECF No. 11, on June 18, 2020.

1 Based on the Plaintiffs' Motion, ECF No. 11, and the papers on file with the  
2 Court, and based on the parties' Stipulation, the Court finds as follows for purposes  
3 of entry of the Temporary Restraining Order only:

4 A. Plaintiffs are likely to prevail on the merits of their claim that  
5 Defendant Garza's sale of "Uble Coin" tires and/or other gray market Double Coin  
6 tires infringes DCTG's valid trademarks, including Trademark Registration Nos.  
7 1,363,253 and 3,335,547;

8 B. Plaintiffs have demonstrated that they will suffer irreparable harm to  
9 their goodwill and reputation because the gray market tires being sold by  
10 Defendant Garza do not meet the Federal Motor Vehicle Safety Standards and are  
11 of lesser quality than the Double Coin tires that Plaintiffs import and sell;

12 C. The balance of equities favors Plaintiffs because they will suffer  
13 irreparable harm whereas Defendant Garza will be prevented from selling products  
14 that should not be sold in the first place; and

15 D. An injunction is in the public interest to protect Plaintiffs' valid  
16 trademark rights and to protect end users of the gray market tires at issue.

17 Accordingly, **IT IS HEREBY ORDERED** that:

18 1. Defendant Garza, his agents, employees, and attorneys, and any other  
19 persons in active concert or participation with Defendant Garza are hereby  
20 enjoined and restrained as follows:  
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1           a. Defendant Garza, *et al.* shall not market, sell, or distribute any  
2 tires bearing the name “Uble Coin” or containing a manufacturer code belonging to  
3 Plaintiff DCTG or one of its subsidiaries;

4           b. Defendant Garza, *et al.* shall not destroy any tires with the  
5 name “Uble Coin” or containing a manufacturer code belonging to Plaintiff DCTG  
6 or one of its subsidiaries in Defendant’s possession, custody, or control and  
7 instead, Defendant Garza, *et al.* shall keep and store all such tires until the trial on  
8 this action occurs.

9           c. Defendant Garza, *et al.* shall not destroy any records regarding  
10 the sales of tires with the name “Uble Coin” or containing a manufacturer code  
11 belonging to Plaintiff DCTG or one of its subsidiaries in Defendant’s possession,  
12 custody, or control and instead, Defendant Garza, *et al.* shall keep and store all  
13 such records until the trial on this action occurs.

14           2. An evidentiary hearing on the issuance of a preliminary injunction  
15 shall occur by video conference on **June 18, 2020, at 1:30 p.m.** Any response  
16 from Defendant shall be filed by June 9, 2020. Any reply from Plaintiffs shall be  
17 filed by June 12, 2020. Case participants will be provided with separate call-in  
18 details by private email from the Court's staff to use for this video conference.  
19 Non-parties may call the Court's public conference line at 1-888-363-4749, access  
20 code 4939688 # (no security code required), five minutes before the scheduled  
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1 conference time. Parties on the phone MUST MUTE THEIR PHONES and NO  
2 RECORDING OR REBROADCASTING IS PERMITTED.

3 3. The Court finds that no security shall be required of Plaintiffs.

4 **IT IS SO ORDERED.** The District Court Clerk is directed to enter this  
5 Temporary Restraining Order and provide copies to counsel.

6 **DATED** May 27, 2020.

7 *s/ Rosanna Malouf Peterson*  
8 ROSANNA MALOUF PETERSON  
9 United States District Judge  
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